

Application No.: 09/762,380 MTS-3243US
Amendment Dated: December 19, 2006
Reply to Office Action Of: September 20, 2006

Remarks/Arguments:

Independent claims 6, 32 and 34 have been amended and claims 39-47 have been newly added. All the other claims have now been cancelled.

Applicants thank Examiner Fletcher and his Supervisor for the opportunity to discuss this application during the personal interview conducted at the U.S. Patent Office on November 30, 2006. During the personal interview, the Applicant's representatives presented arguments traversing the Examiner's prior art rejection of independent claim 32. The Examiner indicated that he agreed with such arguments but suggested an amendment with respect to the added PSI or SI would be helpful for more clearly distinguishing each of the independent claims over the prior art. It is further noted that the Examiner indicated that claims 42-44 are clearly not anticipated by Blatter et al. (USPN: 5,838,873).

Accordingly, without intending to acquiesce to the Examiner's prior art rejection and in order to expedite allowance of this application, the Applicants have amended each of independent claims 6, 32 and 34 in order to more clearly distinguish the claims over the prior art of record.

Particularly, independent claim 32 as a representative example has been amended to recite in part:

an adder for adding the PSI or the SI before the head of the MPEG transport stream upon recording of the MPEG transport stream.

Accordingly, the PSI or the SI is added before the head of the MPEG transport stream upon recording of the MPEG transport stream. This arrangement is shown in the illustrative example of Figure 2(a) of the present application which depicts that PSI is added before the head of the MPEG transport stream [See Fig. 2(a) and page 17 (lines 2-4) of Substitute Specification]. Neither Blatter et al. (USPN: 5,838,873) nor Hiroshima et al. (USPN: 5,801,781) discloses this claimed feature. Blatter et al. merely discloses that PSI is replaced with CPSI in the same location [see step 235 of Figure 2]. This is further supported by column 13 (lines 43-45) of Blatter et al. which states, "Controller 115, in step 235, replaces each

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occurrence of PSI data in the datastream to be stored with corresponding CPSI data ...". The CPSI data is not PSI data but is condensed PSI data which takes up less storage space [see column 6 (line 55 and 66)]. In addition, as shown in step 230 of Figure 2 in Blatter et al., the CPSI is inserted **within** the original transport datastream. Thus, not only does Blatter et al. fail to disclose adding PSI since it disclose adding CPSI, it also fails to disclose adding PSI before the head of the MPEG transport stream since Blatter et al. merely discloses replacing the PSI with CPSI **within** the original data stream itself. Hiroshima et al. discloses adding PSI (PAT 270 and PMT 276) into the first two packets (266 and 272, respectively) of a transport stream [see Figure 17 and column 12 (lines 27-30)]. Thus, Hiroshima clearly fails to disclose adding PSI before the head of the MPEG transport stream.

Therefore, unlike Blatter et al. and Hiroshima et al. which add CPSI and PSI data, respectively, to locations **within** the original transport stream, in the present invention, PSI or SI is added before the head of the MPEG transport stream.

Accordingly, it is submitted that Blatter et al. and Hiroshima et al., taken either alone or in combination, fail to disclose or suggest the features recited in each of newly amended independent claims 6, 32 and 34.

Furthermore, neither Blatter et al. nor Hiroshima et al. discloses adding "the PSI or the SI before the head of the MPEG transport stream while maintaining the PSI or the SI situated in the originally located position," as recited in newly added dependent claims 39, 42 and 45. Instead, Blatter et al. discloses merely replacing PSI with CPSI as previously described. Hiroshima et al. merely teaches placement of PSI within the first two packets of a transport stream as previously described.

Moreover, Blatter et al. teaches away from adding PSI or SI before the head of the MPEG transport stream while maintaining the PSI or the SI situated in the originally located position because the Blatter et al. invention is directed towards reducing the amount of information in the transport stream [see column 1 (lines 65-67)]. If Blatter et al. was modified in conformance with the features of claims 39, 42 and 45, it would be unsuitable for its intended purpose.

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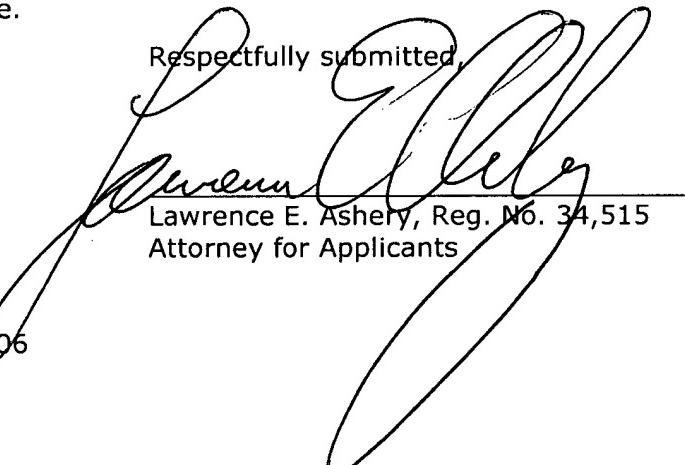
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It is further submitted that Blatter et al. and Hiroshima et al., taken either alone or in combination, fail to disclose or suggest the features contained in each of newly added dependent claims 40 and 41.

Accordingly, it is submitted that the present invention as claimed in each of independent claims 6, 32 and 34, as well as claims 39-47 dependent thereon, is clearly allowable and the Examiner is kindly requested to now promptly pass this case to issuance.

In the event that the Examiner has any comments or suggestions of a nature which would expedite prosecution of this application, the Examiner is kindly requested to contact the undersigned to discuss such matters in order to expedite issuance of a notice of allowance.

Respectfully submitted,


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